

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

GWACS ARMORY, LLC

Plaintiff,

V.

**KE ARMS, LLC, RUSSELL PHAGAN,
SINISTRAL SHOOTING
TECHNOLOGIES, LLC, BROWNELLS,
INC., and SHAWN NEALON,**

Defendants.

and

KE ARMS, LLC,

Plaintiff,

V.

**GWACS ARMORY, LLC, GWACS
DEFENSE INCORPORATED, JUD
GRUDEL, RUSSEL ANDERSON, DOES I
through X, and ROE CORPORATIONS I
through X,**

Defendants.

Case No.:20-cv-0341-CVE-SH
BASE FILE

Consolidated with:
Case No. 21-CV-0107-CVE-JFJ

**DECLARATION OF TIMOTHY MCBRIDE IN SUPPORT OF DEFENDANTS’
MOTIONS FOR SUMMARY JUDGMENT (DKT. 117, 118, 119, AND 120)**

Timothy McBride, declares as follows:

1. I am over the age of 18 years and have personal knowledge of the facts stated herein, except for those stated upon information and belief, and as to those, I believe them to be true.

2. I am competent to testify as to the facts stated herein in a court of law and will so testify if called upon. I make this declaration in support of the defendants' Motions for Summary Judgment (Dkt. 117, 118, 119, and 120).

3. On or about 2004 I met defendants Shawn Nealon (“Nealon”) and Russell Phagan (“Phagan”) when they operated Cavalry Arms Corporation (“Cavalry”).

4. I became Cavalry’s certified CAV-15 armorer and would help run parts and complete trimming operations while hanging out with them.

5. During this time, I observed the mold fixture, CAV-15 MKII halves, the vibration welding equipment, and trimming setup.

6. In August of 2005 I joined the United States Army, becoming a Cavalry Scout, partially due to my time with Nealon.

7. From 2005-2010 I served in the US Army and kept in contact with both Nealon and Phagan. We would often discuss the business and future of the CAV-15 during our time visiting each other.

8. During our visits we discussed things such as using a Magpul UBR stock to add a collapsible stock feature to the CAV-15 and other upgrades to the MKII.

9. In 2010 when I exited active-duty service, I started a gunsmithing business and discussed purchasing the CAV-15 MKII mold from Phagan.

10. I also spoke with Nealon about the potential of the project in detail. During these discussions, Nealon shared his CAV-15 CAD files with me.

11. I did not sign a non-disclosure agreement with Nealon before receiving these CAD files.

12. In August 2012, I approached GWACS Armory, LLC (“Armory”) about potentially becoming a CAV-15 dealer.

13. In January 2013, I received an email response from dealer@gwacsarmory.com which disclosed Armory’s pricing schedule, as well as other information. **Exhibit 1** is a true and correct copy of the email and attachments I received from Armory on January 15, 2013.

14. On or about July through October of 2020, I worked part-time with KE Arms, LLC (“KEA”) during the prototyping of the KEA KP-15.

15. I was present in several of the early InRangeTV and KEA videos about the product. I own a KE Arms KP-15 #48, which is an early pre-production KP-15 receiver.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 1st day of November, 2022.


Timothy McBride